

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WALTER JACKSON,

Plaintiff,

-against-

PHOENIX TRANSPORTATION SERVICE;
ELIDA WULEZYN; MARLAINA KOLLER,

Defendants.

18-CV-3185 (CS)

ORDER

CATHY SEIBEL, United States District Judge:

On May 24, 2018, the Court ordered service of process upon Defendants in the above-captioned case. (Doc. 6.) The U.S. Marshals Service (USMS”), however, was unable to effect service at the address Plaintiff had provided. (Docs. 8-10.) On July 16, 2018, Plaintiff informed the Court that he had provided the wrong address and furnished the correct one. (Doc. 11.) On July 17, I ordered the Clerk of Court to mail a copy of Plaintiff’s letter to the USMS. (Doc. 12.) My expectation was that the USMS would read Plaintiff’s letter and re-serve the Defendants at the correct address. Apparently, that did not happen. I did not learn until today that the USMS needs an amended order of service.

Accordingly, the Clerk of Court is directed to mail a copy of this order to Plaintiff. The Clerk of Court is instructed to complete the USM-285 forms for Defendants Phoenix Transportation Service, Wulezyn, and Koller with the address provided in Doc. 11. The Clerk is further instructed to deliver to the USMS all documents necessary to effect service on those Defendants. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: April 5, 2019
White Plains, New York

A handwritten signature in black ink, reading "Cathy Seibel". The signature is written in a cursive, flowing style. The "C" is large and loops around the "a", and the "S" is also large and loops around the "e". The signature is positioned above a horizontal line.

CATHY SEIBEL
United States District Judge